

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSEPH HOOTEN,

Plaintiff,

v.

Civ. 11-743 LH/GBW

IKARD SERVI GAS d/b/a Heritage
Propane & ALLEN DIXION,

Defendants.


ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Leave to File Plaintiff's Amended Complaint. *Doc. 24*. The Motion will be denied for failure to comply with local rules.

Pursuant to District of New Mexico Local Rule 7.1(a), a "[m]ovant must determine whether a motion is opposed, and a motion that omits recitation of a good-faith request for concurrence may be summarily denied." D.N.M.LR-Civ. 7.1(a). By imposing this requirement, Local Rule 7.1(a) acts to promote judicial efficiency and economy by precluding the unnecessary filing of motions, responses, and orders. The Motion omits the required recitation and, therefore, it will be denied.¹

¹ The Court also notes that Plaintiff has already filed four earlier amended complaints. *Docs. 3, 4, 5, 6*. Pursuant to Federal Rule of Civil Procedure 15, a party may amend its pleading as a matter of course once. Amendments after the first are permitted only with the opposing party's written consent or the court's leave. It does not appear that Plaintiff's second, third or fourth amended complaints comply with this requirement.

Wherefore, IT IS HEREBY ORDERED that Plaintiff's Motion for Leave to File Plaintiff's Amended Complaint, (*doc. 24*), is DENIED.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE